

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1999-033-C - ORDER NO. 2000-0497
JUNE 9, 2000

IN RE: ITC^DeltaCom Communications, Inc.,)	ORDER ✓ DU
)	DENYING
Complainant,)	RECONSIDERATION
)	
vs.)	
)	
BellSouth Telecommunications, Inc.,)	
)	
Respondent.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion for Reconsideration filed on behalf of BellSouth Telecommunications, Inc. (BellSouth) regarding the Commission's decision to deny a Motion to Compel filed by BellSouth. ITC^DeltaCom Communications, Inc. (ITC) has filed a response to the Motion for Reconsideration.

BellSouth notes that on May 5, 2000, it filed a motion to compel certain discovery responses. On May 16, 2000, the Commission denied BellSouth's motion because the hearing was scheduled to start on May 22, 2000. On May 18, 2000, the Commission continued the hearing. Accordingly, BellSouth requests reconsideration of the denial of the motion to compel discovery.

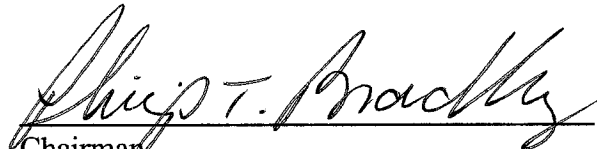
ITC states that BellSouth fails to acknowledge that the hearing was continued at BellSouth's request for the sole purpose of allowing BellSouth to finalize an offer to present to ITC, not to allow it to further litigate discovery disputes. According to ITC,

because of the limited purpose for which the continuance was granted, the continuance of the hearing affords no basis for the Commission to reconsider its decision denying BellSouth's motion to compel.

Although ITC has provided additional responses to the reconsideration motion, about which we express no opinion, we do agree with ITC's reasoning that the hearing was continued at BellSouth's request for the sole purpose of allowing BellSouth to finalize an offer to present to ITC, not to further litigate discovery disputes. Accordingly, BellSouth's Motion for Reconsideration is hereby denied.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)